

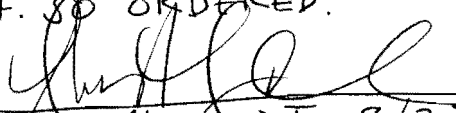


August 28, 2013

Via Electronic Mail

Hon. Shira A. Scheindlin
United States District Court
Southern District of New York
500 Pearl Street, Room 1620
New York, NY 10007

Plaintiffs' request is hereby granted.
Plaintiffs have until September 6,
2013 to respond to the City's stay
request. SO ORDERED.


Shira A. Scheindlin, USDJ 8/28/13
Re: *Floyd v. City of New York*, 08 Civ. 1034 (SAS)

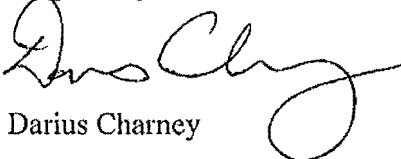
Dear Judge Scheindlin:

On behalf of Plaintiffs in the above-captioned action, I write to request that we be given until Friday, September 6, 2013, to respond to Defendants' request for a stay of the relief ordered in the Court's August 12, 2013 Remedies Opinion and Order. (Dkt. 372). Plaintiffs request this response deadline because several Plaintiffs' counsel, including the undersigned, will be traveling during the latter half of this week and beginning of next week.

Moreover, Defendants, who have had fifteen days to craft their stay request, will not be prejudiced by a September 6 response deadline because the only remedial action which the parties are required to take before September 6 is to attend a meeting with the Court-appointed monitor Peter Zimroth to "share views about how best to proceed in this matter," *see* August 22, 2013 Letter of Peter Zimroth, Esq. to the Parties in *Floyd and Ligon*, attached hereto as Exhibit A, a meeting which Defendants have already agreed to attend. *See* August 27, 2013 email from Heidi Grossman to Peter Zimroth, attached hereto as Exhibit B.

Thank you for your time and consideration.

Respectfully submitted,


Darius Charney

Encl.

Cc: All *Floyd* and *Ligon* counsel (via email)

EXHIBIT A

ARNOLD & PORTER LLP

Peter L. Zimroth
Peter.Zimroth@aporter.com
+1 212.715.1010
+1 212.715.1399 Fax
399 Park Avenue
New York, NY 10022-4690

August 22, 2013

Re: *Floyd v. City of New York; Ligon v. City of New York*

Dear Counsel:

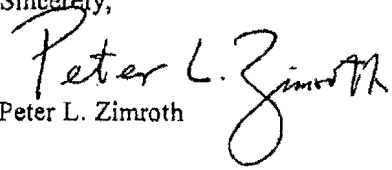
As you know, in an order issued on August 12, 2013, I was appointed by Judge Shira A. Scheindlin to act as an independent monitor in the above cases. On August 19, 2013, I received separate letters from counsel for the Plaintiffs in *Floyd* and counsel for Plaintiffs in *Ligon*, copies of which were sent to counsel for the Defendants, asking me to set up a meeting with the parties.

I am inviting counsel to a meeting at the offices of Arnold & Porter, LLP on either Tuesday, September 3rd at 4:00 p.m. or Wednesday, September 4th at 10:30 a.m. I would appreciate it if counsel could confer as soon as possible and let me and my colleague, Meredith Esser, know by Tuesday next week (August 27) which of those times is chosen. The purpose of this meeting is to share views about how best to proceed in this matter. No decisions will be made until I have an opportunity to hear from you and consider your views.

I note that there are many lawyers listed for each party. In order to foster a more productive conversation, I hope you will consider limiting the number of counsel attending for each party. Perhaps you can agree on an appropriate number for each party. In any event, please let Ms. Esser know the names of the attendees. She can be contacted at Meredith.Esser@aporter.com or (212) 715-1323.

I look forward to meeting with you.

Sincerely,


Peter L. Zimroth

ARNOLD & PORTER LLP

August 22, 2013
Page 2

cc:

Darius Charney, Esq.
Sunita Patel, Esq.
Baher Azmy, Esq.
Rachel Lopez, Esq.
Ghita Schwarz, Esq.
Chauniqua Young, Esq.
Center for Constitutional Rights
666 Broadway, 7th Floor
New York, NY 10012
(212) 614-6439

Philip I. Irwin, Esq.
Eric Hellerman, Esq.
Gretchen Hoff Varner, Esq.
Kasey Martini, Esq.
Bruce Corey, Jr., Esq.
Covington & Burling LLP
620 Eighth Avenue
New York, NY 10018
(212) 841-1000

Jonathan Moore, Esq.
Jenn Rolnick Borchetta, Esq.
Beldock Levine & Hoffman LLP
99 Park Avenue, Suite 1600
New York, NY 10016
(212) 490-0900

Attorneys for Floyd Plaintiffs

Christopher Dunn, Esq.
Alexis Karteron, Esq.
Taylor Pendergrass, Esq.
Daniel Mullkoff, Esq.

ARNOLD & PORTER LLP

August 22, 2013

Page 3

New York Civil Liberties Union
125 Broad Street, 19th floor
New York, NY 10004
(212) 607-3300

Mariana Kovel, Esq.
The Bronx Defenders
860 Courtlandt Avenue
Bronx, NY 10451
(718) 508-3421

Juan Cartagena, Esq.
Foster Maer, Esq.
Roberto Concepcion, Jr., Esq.
LatinoJustice PRLDEF
99 Hudson Street, 14th Floor
New York, NY 10013
(212) 219-3360

John A. Nathanson, Esq.
Tiana Peterson, Esq.
Mayer Grashin, Esq.
Shearman & Sterling LLP
599 Lexington Avenue
New York, NY 10022
(212) 848-5222

Attorneys for Ligon Plaintiffs

Brenda Cooke
Linda Donahue
Heidi Grossman
Morgan Kunz
Joseph Marutollo
Suzanna Publicker
Lisa Richardson

ARNOLD & PORTER LLP

August 22, 2013
Page 4

Cecilia Silver
Judson Vickers
Richard Weingarten
Mark Zuckerman
Assistant Corporation Counsel
New York City Law Department
100 Church Street
New York, NY 10007
(212) 788-1300

Attorneys for Defendant the City of New York

EXHIBIT B

Darius Charney

From: Grossman, Heidi (Law) <hgrossma@law.nyc.gov>
Sent: Tuesday, August 27, 2013 12:18 PM
To: Darius Charney; 'meredith.esser@aporter.com'; 'AKarteron@nyclu.org'; 'cdunn@nyclu.org'; Cooke, Brenda (Law); Zuckerman, Mark (Law); Shammass, Cheryl (Law); Marutollo, Joseph (Law); Weingarten, Richard (Law); 'EHellerman@cov.com'; 'jmoore@BLHNY.com'; 'kmartini@cov.com'; 'bcorey@cov.com'; Chauniqua Young; Sunita Patel; 'Jborchetta@blhny.com'; 'tlin@cov.com'; Donahue, Linda (Law); Vickers, Judson (Law); Richardson, Lisa (Law); Mettham, Suzanna (Law); Kunz, Morgan (Law); 'peter.zimroth@aporter.com'
Subject: Re: Floyd and Ligon correspondence

Dear Mr. Zimroth,

On behalf of the defendants, we write to advise that the following attorneys for defendants will be attending the meeting scheduled for September 4, 2013 at 10:30 am.

Heidi Grossman
Linda Donahue
Brenda Cooke
Joseph Marutollo
Lisa Richardson

Very truly yours,

Heidi Grossman

From: Darius Charney [<mailto:DCharney@ccrjustice.org>]

Sent: Monday, August 26, 2013 05:57 PM

To: 'Esser, Meredith' <Meredith.Esser@aporter.com>; 'AKarteron@nyclu.org' <AKarteron@nyclu.org>; 'cdunn@nyclu.org' <cdunn@nyclu.org>; Cooke, Brenda (Law); Grossman, Heidi (Law); Zuckerman, Mark (Law); Shammass, Cheryl (Law); Marutollo, Joseph (Law); Weingarten, Richard (Law); 'EHellerman@cov.com' <EHellerman@cov.com>; 'jmoore@BLHNY.com' <jmoore@BLHNY.com>; 'kmartini@cov.com' <kmartini@cov.com>; 'bcorey@cov.com' <bcorey@cov.com>; Chauniqua Young <cyoung@ccrjustice.org>; Sunita Patel <SPatel@ccrjustice.org>; 'Jborchetta@blhny.com' <Jborchetta@blhny.com>; 'tlin@cov.com' <tlin@cov.com>; Donahue, Linda (Law); Marutollo, Joseph (Law); Vickers, Judson (Law); Richardson, Lisa (Law); Mettham, Suzanna (Law); Kunz, Morgan (Law); 'Peter.Zimroth@APORTER.COM' <Peter.Zimroth@APORTER.COM>; Zuckerman, Mark (Law)

Subject: RE: Floyd and Ligon correspondence

Mr. Zimroth-

I write on behalf of all parties in Floyd and Ligon to advise you that the parties are available to meet with you on September 4 at 10:30am. We should be able to let you know by tomorrow how many attorneys from each side will be attending the meeting, taking into account the need to limit the number of attendees. Thank you.

Darius Charney

From: Esser, Meredith [<mailto:Meredith.Esser@aporter.com>]

Sent: Thursday, August 22, 2013 4:56 PM

To: 'AKarteron@nyclu.org'; 'cdunn@nyclu.org'; 'bcooke@law.nyc.gov'; 'hgrossma@law.nyc.gov'; 'mzuckerm@law.nyc.gov'; 'cshammass@law.nyc.gov'; 'jmarutol@law.nyc.gov'; 'rweingar@law.nyc.gov'; Darius Charney;